

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE RICHARD M. OSBORNE
Debtor

CASE NO. 17-17361
CHAPTER 11
JUDGE ARTHUR I. HARRIS

**RESPONSE TO DIANE OSBORNE'S MOTION FOR A MODIFICATION OF THE AGREED ORDER
FOR ALLOWANCE OF ADMINISTRATIVE EXPENSE CLAIM PURSUANT TO 11 U.S.C. § 507(a)(1)**
[DOC. 375]

Richard M. Osborne, Debtor in Possession ("Debtor") responds to Diane Osborne's Motion For A Modification Of The Agreed Order For Allowance Of Administrative Expense Claim Pursuant To 11 U.S.C. § 507(a)(1) [Doc. 401] ("Movant" and "Motion") and requests that the Court deny the Motion at this time or set a further hearing on the same.

1. Movant is the Debtors former wife, and the Debtor acknowledges that he owes the Movant \$10,000 per month for a domestic support obligation pursuant to a property settlement and divorce decree.
2. However the Motion seeks relief from an agreed order entered on January 31, 2019 which resolved this matter and another motion for relief from stay filed by Movant. Under that order the Debtor had 90 days to sell the property before Ms. Osborne would be entitled to relief from the automatic stay. The current Motion which is premised on the fact that she does not believe that she will recover the necessary funds to pay her outstanding domestic support obligations is therefore premature.
3. The Debtor and Ms. Osborne are further negotiating to have her assume the purchase of the Williams Road property. This matter may be resolved as a part of that process.

Therefore, the Debtor respectfully requests that this Court deny the Motion at this time, or set a further hearing on the same in a mutually agreeable date.

Respectfully submitted,
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CERTIFICATE OF SERVICE

I hereby certify that a copy of this Response was electronically transmitted on or about the date filed via the Court's CM/ECF system to the following who are listed on the Court's Electronic Mail Notice list or was served by U.S. mail, postage prepaid, or certified mail on the persons below as indicated below.

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